

Votes of the Board of Environmental Protection: Regular Agenda Items Calendar Year 2005

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	Richard Wardwell	Irving Faunce	Ernest Hilton	Don Guimond	*Vacant	Virginia Plummer	Matt Scott	Jean Wilkinson	Nancy Ziegler	Nancy Anderson
MARCH 17, 2005										
[1] Chapter 102, Open Burning / Amendments - Motion to adopt as proposed	--	Y	Y	Y		Y	--	Y	Y	Y
[2] State Implementation Plan (SIP) – 15% rate of progress, 5% increment of progress, motor vehicle emission budget and 2002 base year inventory – motion to post to public hearing on April 21, 2005	--	Y	Y	Y		Y	--	Y	Y	Y
[3] Town of Brooksville / permit by rule appeal by James and Sharen Benenson - motion to grant appeal and reverse the Department's permit to the Town of Brooksville for construction of a boat ramp	--	Y	Y	Y		Y	--	Y	Y	Y
APRIL 21, 2005										
[1] Chapter 532, Large Commercial Passenger Vessels / new - motion to adopt as proposed	Y	Y	Y	Y		Y	Y	Y	Y	Y
[2] Chapter 305, Permit By Rule Standards / amendment - motion to adopt as proposed	Y	Y	Y	Y		Y	Y	Y	Y	Y
[3] Chapter 530, Surface Water Toxics Control Program and Chapter 584, Surface Water Quality Criteria for Toxic Pollutants / repeal and replace - motion to post to public hearing on June 2, 2005	Y	Y	Y	Y		Y	Y	Y	Y	Y
[4] Maine Electronics, Inc. and Rockwell Collins, Inc. / post closure license (approval of draft order – post to 45-day written comment - motion to post to 45-day written public comment period	Y	Y	Y	Y		Y	Y	Y	Y	Y

Key

Y = Yes

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Revised: October 2004

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<u>MAY 5, 2005</u>	Y	A	Y	--		Y	Y	N	Y	Y
[1] Dept of Inland Fisheries and Wildlife / Application for Construction of an all-tidal boat ramp at Mere Point (appeal of Chairs ruling regarding re-opening the record) - motion to affirm the Chair's ruling and deny the request by Friends of Mere Point to re-open the hearing to accept evidence and testimony on the potential impacts of the proposed project on the existing uses of Mere Point Road.										

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	Richard Wardwell	Irving Faunce	Ernest Hilton	Don Guimond	VACANT	Virginia Plummer	Matt Scott	Jean Wilkinson	Nancy Ziegler	Nancy Anderson
<u>MAY 19, 2005</u>	Y	Y	Y	Y		Y	Y	--	Y	Y
[1] Chapter 143, New Source Performance Standards / Amendment - Motion to post to adopt as presented										
[2] CHAPTER 144 National Emission Standards for Hazardous Air Pollution / Amendments - motion to adopt amendments as presented	Y	Y	Y	Y		Y	Y	--	Y	Y
[3] STEVE ALLEY / PERMIT BY RULE #36762 APPEAL BY NEWDING - motion to table consideration of the merits of the appeal submitted by Mr. Newding in order to: a) allow time to evaluate the new evidence (1997 Aerial Photo and email from M. Loiselle); b) allow the licensee to respond to the new evidence, and c) allow the Department staff to modify the draft proposed order to include the new evidence.	Y	Y	Y	Y		Y	Y	--	Y	Y
<u>JUNE 2, 2005</u>	--	Y	Y	Y		Y	Y	Y	Y	Y
[1] State Implementation Plan (SIP) – 15% rate of progress, 5% increment of progress, motor vehicle emission budget and 2002 base year inventory – motion to adopt as presented										

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*** Note change to Board membership**

	Richard Wardwell	Elizabeth Ehrenfield	Ernest Hilton	Don Guimond	Denis Culley	Virginia Plummer	Matt Scott	Jean Wilkinson	Nancy Ziegler	Nancy Anderson
JUNE 16, 2005	--	Y	Y	Y	Y	Y	--	Y	Y	Y
[1] Chapter 335, Coastal Sand Dune Rules / amendments – post to hearing - motion to post to public hearing for August 11, 2005	--	Y	Y	Y	Y	Y	--	Y	Y	Y
[2] Arthur Choate / permit by rule #36751 (petition to revoke filed by Landon & Fred Thomas – motion to deny petition	--	Y	Y	Y	Y	Y	--	Y	Y	Y
– motion to adopt the amended Board order dismissing the petition to revoke.	--	Y	N	Y	Y	Y	--	Y	Y	Y
[3] Steven McGee Construction / Gravel Pit #2 - motion to assume jurisdiction and conduct a public hearing on the application to operate a working pit larger than 10 acres	--	Y	N	N	N	N	--	Y	N	N
[4] International Paper, Jay, Newpage, Rumford, FPL Energy Hydro, Gulf Island Dam (petition for BEP jurisdiction by NRCM and Maine Rivers - - - - -	--	Y	Y	Y	Y	Y	--	Y	Y	Y
- motion to uphold the chairman’s ruling of June 9, 2005 that petitions were not timely filed for consideration of jurisdiction by the Board										
- motion to assume jurisdiction.	--	N	N	N	Y	N	--	--	N	N

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	Richard Wardwell	Elizabeth Ehrenfeld	Ernest Hilton	Don Guimond	Denis Culley	Virginia Plummer	Matt Scott	Jean Wilkinson	Nancy Ziegler	Nancy Anderson
<u>JULY 7, 2005</u>	--	A	Y	Y	A	Y	Y	Y	Y	Y
[1] Chapter 127, New Motor Vehicle Emission Standards / amendments - motion to adopt as presented	--	A	Y	Y	A	Y	Y	Y	Y	Y
[2] Chapter 415, Reasonable costs for handling and recycling of electronic wastes / new - motion to post to public hearing on August 18, 2005 and establish August 29, 2005 as the deadline for written comments.	--	Y	Y	Y	Y	Y	Y	Y	Y	Y
[3] Steve Alley / permit by rule 36762 / appeal by Mr. Newding – motion to direct staff to draft an order that grants the appeal – new order to be considered at a future meeting.	--	Y	Y	N	Y	N	N	N	Y	Y
[4] FPL Energy Wyman LLC & Wyman IV LLC / request for alternative NOx emission limits – motion to post to 60-day written comment period and directed staff to modify the proposed order regarding enforceability to reflect authority of Federal Government to enforce violations	--	Y	Y	Y	Y	Y	Y	Y	Y	Y

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<u>JULY 21, 2005</u>	--	Y	N	Y	--	--	Y	N	Y	--
[1] Arthur Choate, Tier I Approval (appeal by Landon Thomas and Fred Thomas - motion to deny the appeal and affirm the Commissioner's decision	--	Y	Y	Y	--	--	Y	Y	Y	--
[2] Chapter 151 Architectural and Industrial Maintenance Coatings / amendment - motion to post to 30-day written public comment	--	Y	Y	Y	--	--	Y	Y	Y	--
[3] Houlton Water Company / sludge utilization A. Fitzpatrick Site - motion to deny appeal and affirm the commissioners decision appeal submitted by E. Vaughn & Carol Deal and deny an after-the- fact permit approval for construction of commercial wharf and bait shed in Cushing (motion failed by evenly divided vote which affirms the Commissioner decision and grants approval for the after-the- fact permit)	--	Y	Y	Y	--	--	Y	Y	Y	--

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